

MINUTES of a meeting of the COUNCIL held in the Council Chamber, Council Offices, Coalville on TUESDAY, 26 FEBRUARY 2019

Present: Councillor J Clarke (Chairman)

Councillors R Adams, G A Allman, R Ashman, R D Bayliss, R Blunt, R Boam, J Bridges, N Clarke, J Cotterill, J G Coxon, D Everitt, T Eynon, J Geary, L A Gillard, S Gillard, T Gillard, D Harrison, G Houlst, J Houlst, R Johnson, G Jones, J Legrys, S McKendrick, T J Pendleton, V Richichi, N J Rushton, A C Saffell, S Sheahan, N Smith, A V Smith MBE, M Specht, D J Stevenson and M B Wyatt

Officers: Mr J Arnold, Mrs T Bingham, Mr G Jones, Mrs M Long, Mrs M Meredith, Mrs B Smith and Miss E Warhurst

#### **46. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R Canny, K Merrie and P Purver.

#### **47. DECLARATION OF INTERESTS**

Councillor S Sheahan declared a non-pecuniary interest in item 10 - Budget and Council Tax 2019/20, to any reference relating to HS2. He also declared a pecuniary interest in item 11 – HS2 Update, due to the location of his home in relation to the route.

Councillor R Blunt declared a pecuniary interest in item 11 – HS2 Update, as a landowner affected the route.

Councillor J G Coxon declared a pecuniary interest in item 11 – HS2 Update, as the route passed through land in his ownership.

Councillor T J Pendleton declared a pecuniary interest in item 11 – HS2 Update, as his daughter owned property in Measham which was affected by the route.

Councillor M B Wyatt declared a non-pecuniary interest in item 10 – Budget and Council Tax 2019/20, having submitted an amendment to the budget and as an owner of two businesses in Coalville.

Councillor S McKendrick declared a non-pecuniary interest in item 10 – Budget and Council Tax 2019/20, as the director of trustees at Moira Furnace.

#### **48. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

The Chairman referred to two recent fundraising events, a cake sale and dinner, which had raised over £1,300 for his charities. He reminded members of the civic dinner and business awards taking place on 5 April at the Radisson Blu hotel.

The Chairman referred to a recent incident where one of his neighbours who was suffering from the early stages of Alzheimer's had taken a fall at home. He expressed thanks to Councillors T Eynon and D Harrison who had helped to get his neighbour all the help she needed. He welcomed the co-operation between the district and county council.

As this was the last full Council before the election, the Chairman thanked all members for their service to the Council during their term of office. The Chairman congratulated Councillor D J Stevenson who had first been elected to the Council in 1974 and had held office continuously ever since, and will have served for 45 years in May.

Chairman's initials

Councillor R D Bayliss recalled Councillor D J Stevenson's election as a young man. He added that throughout his years as leader of the Conservative group, through the tough years in opposition, he was always an inspiration and a pugnacious proponent in the chamber. He hoped he would continue to be so for many years to come.

Councillor N Smith thanked Councillor S J Stevenson for the advice he had provided over the years.

Councillor R Blunt stated that Councillor D J Stevenson exemplified what the group stood for, being fair, respected by everyone in the chamber, and standing up for the community. He added that Councillor D J Stevenson was an inspiration and had supported him throughout his time as Leader of the Council.

Councillor S Sheahan recounted that Councillor D J Stevenson always addressed him as 'my friend', which he welcomed. He recalled the interesting advice he had provided and congratulated him on his long service so far.

Councillor J Legrys congratulated Councillor D J Stevenson on his long service. He stated that his everlasting image of him was as the Chairman of the Planning Committee; being a fair and balanced chair, and someone he could admire. He added that their views could differ, and debate would be allowed at Planning Committee, which was welcomed. He shared that the best thing Councillor D J Stevenson had ever done for him personally was having the courage in meetings to tell him that he had been speaking for too long, which he took as a compliment.

Councillor D Harrison recounted meeting Councillor D J Stevenson as Chairman of the Conservative Association and joining him on a canvass. He added that he was a man of the people; he knew all his constituents, was friendly and wanted to help. He stated that he had thoroughly enjoyed being on the Planning Committee with Councillor D J Stevenson and referred to the jokes he would tell on the site visits. He thanked him for his service and stated that he was a fabulous example for any young person who was new to politics.

Councillor M Specht congratulated Councillor D J Stevenson on his sterling service to the district council and Worthington parish council. He added that his name was highly esteemed in the area.

The Chairman paid respect to former Councillor Gordon Tacey who had passed away earlier this year.

Councillor S Sheahan stated that Gordon Tacey was known with great affection and was always a steady pair of hands and a great asset as Deputy Leader of the Council. He would not be forgotten and people would remember him very fondly.

Councillor D J Stevenson thanked members for their kind words.

#### **49. LEADER'S AND PORTFOLIO HOLDERS' ANNOUNCEMENTS**

Councillor R Blunt announced that the new public art for the Ashby cultural centre would be installed on Wednesday, 13 March. He stated that this was the culmination of the work to improve the public realm, increase car parking in Ashby de la Zouch and support the creation of a new cultural quarter in the town. Working jointly with the Town Council, £1.1 million had been invested to create a new 52 space car park. The original gates had creatively been incorporated and the new artwork had been chosen with the help of a public art competition. The overall design drew its inspiration from the National Forest.

Chairman's initials

As part of the work to build confidence in Coalville and support the regeneration of the town centre, Councillor R Blunt announced two community drop-in sessions on 13 and 15 March, which had been set up in response to a public petition. The drop-in sessions would enable residents to see what was happening in the town, get involved with community groups and events, and give feedback to the Council. He expressed his commitment to the regeneration of Coalville.

Councillor R Blunt announced that the purchase of the Litten Tree public house had been completed since the last meeting. He added that the Council would be working with existing market traders to ensure the move could be made as smoothly as possible.

Councillor R Blunt referred to the transformation of the former Midland bus depot on Ashby Road, which was an example of the Council working with the private sector to enable the restoration of a derelict building on a key entrance to the town. He explained that the site was not in the Council's ownership but by supporting the owner a great outcome had been achieved which improved the town.

Councillor R Blunt provided an update on the Royal Hotel in Ashby de la Zouch and emphasised that bringing the building back into use was a top priority. He added that the building was one of the jewels in the crown of Ashby de la Zouch and he hoped to see it restored as soon as possible. He stated that the first priority was ensuring the building was maintained and kept safe. He explained that planning permission for the site was complex, but the Council was working with Historic England to ensure that the minimum amount of enabling development was granted to pay for the cost of restoring the hotel. He added that he was keen to support the Town Council with the purchase of the Bath Grounds to ensure this remained a public open space.

Councillor R Blunt stated that it had been a pleasure to serve with all members of the Council. He expressed particular thanks to Councillors T J Pendleton and A V Smith who were retiring.

Councillor S Sheahan welcomed the commitment to the drop-in sessions, however he felt it would be difficult to gauge the view of the residents of Coalville and to convince them that the Council could deliver as there had been a lot of false starts. He added that expectations needed to be managed.

In response to a question from Councillor S Sheahan, Councillor R Blunt advised that the public artwork was chosen on quality rather than price, and was chosen by the general public.

Councillor J G Coxon welcomed the works to North Street car park. He added that the Town Council was working hard to secure the purchase of the Bath Grounds from the developers, which would ensure the funds could be put towards restoring the Royal Hotel to its former glory.

Councillor A V Smith stated that she had thoroughly enjoyed being the Deputy Leader of the Council for the past 8 years. She announced that Everyone Active had been chosen as the Council's partner for the management of the leisure centres. She reported that work would commence at Hood Park in August and would be completed by November 2019. The work to build a new leisure centre in Coalville would require planning permission and it was hoped that work would start on site in September. She congratulated the officers involved in the project.

Councillor N Clarke expressed concerns regarding the increased budget for the leisure centres and asked if the finances were spiralling out of control.

Councillor A V Smith responded that the cost had increased however the plans had also improved.

Councillor S Sheahan sought assurances that the cost of the leisure centres would not increase further. He emphasised the need to develop services alongside local people and for their benefit, not simply for profit.

The Section 151 Officer clarified the current borrowing position in respect of the leisure centres and the projected borrowing requirement in 2022.

Councillor T J Pendleton thanked Councillor R Blunt and commented that he had thoroughly enjoyed the challenge and pleasure of the Regeneration and Planning Portfolio.

Councillor T J Pendleton referred to the adoption of the joint strategic growth plan which had enabled in the region £150 million towards infrastructure projects in the county. He announced that the strategic growth plan had been shortlisted in the Royal Town Planning Institute's annual awards and was the only sizeable strategic plan to be so shortlisted.

## **50. QUESTION AND ANSWER SESSION**

There were no questions received.

## **51. QUESTIONS FROM COUNCILLORS**

Councillor J Legrys put the following question to Councillor A V Smith:

**“Retrieval of waste bins from residential properties on collection day.**

I am regularly contacting the council's Members Services team to get action to deal with the non-retrieval of waste bins following collection.

Many of the streets in my Ward have narrow footways which are not convenient for wheelchair and buggy users when cluttered up with waste bins. The problem on non-retrieval of waste bins appears to be getting worse.

Problem 'hotspots' in my ward are Bridge Road, Berrisford Street, Melbourne Street & Mantle Lane/Memorial Square.

Over the years I have been promised action, but none seems to materialise. The council has responsibility to ensure that householders retrieve their bins following collection.

I'm asking the portfolio holder when this council will commence enforcement action in relation to keeping our footways clear of non-retrieved waste bins”.

Councillor A V Smith gave the following response:

“The legislation governing how domestic waste is collected is contained in Section 46 of the Environmental Protection Act 1990. The Council can by notice served on them require occupiers to place the waste for collection in receptacles of a kind and number specified. The notice would include how the receptacles are presented and then removed. A breach of the notice was a criminal offence.

In 2015 the Government introduced the Deregulation Act and under section 58 they decriminalised section 46 and made it a civil penalty. They also introduced an additional element before an offence is committed together with a set procedure before a civil penalty can be issued.

Chairman's initials

In respect of bins left out on streets, this alone is not sufficient to instigate enforcement action and now has to be that failure to comply:

1. Has caused, or is likely to cause a nuisance, or
2. Has been, or is likely to be, detrimental to any amenities of the locality.

Once evidence of the above is established the enforcement process follows an incremental approach as per the legislation:

1. Formal notice served on occupier showing what is required.
2. If not resolved, a second notice is served outlining the breach and giving a timescale to comply minimum of 7 days.
3. If not resolved, a third notice is issued which is a notice of intent to serve a Fixed Penalty. (The occupier has 28 days when they can make representations to the Council as to why a fixed penalty should not be issued.
4. If no such representation is made and breach continues a fixed penalty notice may be issued. The occupier can then appeal to a tribunal against the issue of the fixed penalty.

In the last 12 months in excess of 200 notices under section 46 have been served on occupiers of properties across the District.

In the last two weeks 52 notices have been issued to properties mainly in the areas of Berrisford Street, Melbourne Street, Margaret Street and Mantle Lane/Memorial Square.

Following consultation with our legal department we are introducing additional legislation as part of our approach to this issue. These are Community Protection Notices as contained in the Anti-social Behaviour, Crime and Policing Act 2014.

This again requires evidence of a nuisance and is a tiered approach.

This will be considered on a case by case basis.

To date due to the incremental approach we have not reached stage 4 when a fixed penalty would be issued as in the case of bins left out the breach is removed. We will be monitoring properties that may be repeat offenders”.

Councillor J Legrys commented that he did not understand the response as it was written in legalese. As a supplementary question, he asked when something was going to be done about this issue and referred to a pile of fly tipping he had seen on his way to the meeting this evening.

Councillor A V Smith agreed that litter was a huge problem and advised that people had been prosecuted for fly tipping at the side of recycling bins. She responded that there had been recent changes to the legislation and the Council was revising its waste strategy and considering new containers which may resolve the issues.

Councillor D Everitt put the following question to Councillor T J Pendleton:

“The reduced Council Planning Committee has been in operation for some time now.

1. How many applications have come before the reduced planning committee since it was formed.

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2. How many of the above applications came before the committee because they involved the interests of councillors and officers.
3. How many of the applications submitted were recommended refuse by the planning officers.
4. How many applications submitted were refused by the committee.

Will you please supply the comparable figures for the same period of time during the previous year”.

Councillor T J Pendleton gave the following response:

- “1. The first Planning Committee with numbers of Members reduced to 11 was July 2018 and in the 8 meetings to February 2019, 20 applications have been reported to the Committee.

In the corresponding period July 2017 to February, 38 applications were reported to Planning Committee.

2. From July 2018 to February 2019 there were 5 applications reported to Planning Committee because of interests of members/officers. Of these, one was an officer application and the other four were submitted by the agent, Andrew Large, who is related to a serving Councillor.

In the corresponding period July 2017 to February, seven had officer/member interests. Of these, one was an officer application, four were members applications and two were submitted by the agent, Andrew Large, who is related to a serving Councillor.

3. Of the 20 applications reported to Planning Committee between July 2018 and February 2019, 1 was recommended for refusal.

In the corresponding period July 2017 to February, 8 of the 38 applications were recommended for refusal.

4. Of the 20 applications reported to Planning Committee between July 2018 and February 2019, one was refused by Planning Committee in accordance with the officer recommendation. There were no refusals in this period contrary to officer recommendation.

Of the 8 applications recommended for refusal between July 2017 and February 2018, 4 were refused and 4 permitted contrary to officer recommendation. In addition, Planning Committee refused 7 applications that were recommended for approval. In total Planning Committee refused 11 applications in this period”.

Councillor D Everitt commented that the changes were anti-democratic and the public had been removed from the process. As a supplementary question, Councillor D Everitt asked whether Councillor T J Pendleton agreed that democracy had not been served by this change to the Planning Committee.

Councillor T J Pendleton responded that in short, he did not agree. He explained that the Planning Committee had proportionate representation, which was a standard statutory requirement, and was a statutory quasi-judicial committee. He stated that the Planning Committee could only consider the applications that were put to it and had no control over

whether an applicant withdrew an application. He added that the officers were exemplary in their dealings with the public, who were litigiously conscious.

## **52. MOTIONS**

No motions were received.

## **53. PETITIONS**

No petitions were received.

## **54. MINUTES**

Consideration was given to the minutes of the meeting held on 13 November 2018.

It was moved by Councillor J Clarke, seconded by Councillor M Specht and

RESOLVED THAT:

The minutes of the meeting held on 13 November 2018 be approved and signed by the Chairman as a correct record.

## **55. BUDGET AND COUNCIL TAX 2019/20**

Councillor N J Rushton presented the report to members, highlighting the proposed amendment regarding burial fees for children. He explained that regardless of the amendment, this was an executive function rather than a Council function, and he had asked the Strategic Director of Place to review those fees with a view to removing them.

Councillor N J Rushton drew members' attention to the proposed freeze in Council Tax for the 10<sup>th</sup> consecutive year providing an average saving of £5 in 2019/20 and over £286 overall. He also highlighted the General Fund budget, set out at Appendix 3b, with a projected surplus for 2018/19 of £161,000, and the forecast level of self-sufficiency reserve of £4 million, assuming that there was no spending against this reserve. He stated that it was prudent to maintain this reserve considering the risks to the budget going forward. He added that the operating balance of £1.5 million remained in place.

Councillor N J Rushton highlighted the projected business rates income and the movement in the Council Tax base, as a result of significant growth in the district.

Councillor N J Rushton moved the recommendations as set out in the report. The motion was seconded by Councillor R Blunt who reserved his comments.

The Chairman referred to the amendments to the motion which had been circulated in the additional papers. He invited Councillor S Sheahan to put forward his amendment.

Councillor S Sheahan spoke to the amendment. He stated that investing start-up grants in local talent could bring enormous benefits to the local area. He reminded members that the Council had agreed to support the Make a Stand campaign and the amendment sought a concrete commitment to provide a domestic abuse support worker. He felt that additional funding was needed in relation to air quality as the action plan had not been updated. He stated that the amendment sought to bring pride back to the local community and give artists a connection with the local area. The proposed additional funding allocated towards the Citizens Advice Bureau would help with benefit claims and the investment in customer services would be recouped in efficiency savings over a period of time. He explained that the proposed would be funded by a reduction in the CLT and ELT

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training budgets and LLEP match funding. He felt this was a good use of money and commended the amended budget to members.

The motion was seconded by Councillor N Clarke, who spoke in support of the motion, echoing the comments made by Councillor S Sheahan.

Councillor T J Pendleton commented that he could not support the amendment. He added that in his capacity as Chairman of the Community Safety Partnership, priorities had been readdressed. Domestic violence was a key priority and he felt that the additional support worker was not needed due to the network of support that was already in place.

Councillor J Geary emphasised the importance of the Snibston mine site, which was a world heritage site. He reported that a group of enthusiasts had met with officers and had decided to establish a heritage educational trust to administer the site. He explained that one-off funding of £15,000 had been sought to help establish this group and he stated that he would be greatly disappointed if this was not possible. He added that the work of the group would greatly enhance the town centre.

Councillor R Blunt stated that he valued the Snibston site incredibly highly. He reminded members of Leicestershire County Council's proposals for the use of the site which the district council would support.

Councillor J Legrys felt that improvements were required to customer services and investing additional funding into an improved interface between the public and the Council could only be of benefit to the Council and Council Tax payers..

Councillor D Harrison spoke in objection to the amendment.

Councillor R D Bayliss referred members to the specific telephone line in respect of housing repairs and the dedicated officer for universal credit.

Councillor N J Rushton exercised his right of reply and stated that the amendment would increase debt and reduce the self-sufficiency fund. He highlighted the £130,000 which had already been invested in improving customer services this year and he was confident that the improvements would continue. He urged members to reject the amendment.

The Chairman then put the motion to the vote. A recorded vote being required, the voting was as follows:

<b>Amendment to the Budget submitted by Councillor S Sheahan (Amendment)</b>	
Councillor Ron Adams	For
Councillor Graham Allman	Against
Councillor Robert Ashman	Against
Councillor Roger Bayliss	Against
Councillor Richard Blunt	Against
Councillor Russell Boam	Against
Councillor John Bridges	Against
Councillor John Clarke	Against
Councillor Nick Clarke	For
Councillor John Cotterill	Against
Councillor John Coxon	Against
Councillor David Everitt	For
Councillor Dr Terri Eynon	For
Councillor John Geary	For
Councillor Louise Goacher	Against
Councillor Stuart Gillard	Against

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Councillor Tony Gillard	Against
Councillor Dan Harrison	Against
Councillor Gill Houlton	Against
Councillor Jim Houlton	Against
Councillor Russell Johnson	For
Councillor Geraint Jones	Against
Councillor John Legrys	For
Councillor Susan McKendrick	For
Councillor Trevor Pendleton	Against
Councillor Virge Richichi	Against
Councillor Nicholas Rushton	Against
Councillor Tony Saffell	Against
Councillor Sean Sheahan	For
Councillor Nigel Smith	Against
Councillor Alison Smith MBE	Against
Councillor Michael Specht	Against
Councillor David Stevenson	Against
Councillor Michael Wyatt	Against
<b>Rejected</b>	

The motion was declared LOST.

The Chairman invited Councillor M B Wyatt to put forward his amendment.

Councillor M B Wyatt spoke to the amendment and urged members to support proposals and deliver what local people and businesses wanted. He stated that Coalville was failing and further declining and the administration's budget had failed to address the real issues that impacted residents such as car parking charges. He highlighted the proposals for free parking on market days, additional litter pickers and an increased budget for events in the town centre. He also highlighted the proposals in respect of the Ivanhoe line and additional funds to tackle climate change.

The motion was seconded by Councillor A C Saffell..

Councillor T Eynon thanked Councillor M B Wyatt for bringing forward his amendment and commented that it contained many important point, not least of which being the Ivanhoe line. She added that although she was very much in support of reopening the line it was not possible to do so as a single district council with a budget of £20,000. She emphasised the importance of working with businesses and acknowledged that nothing would happen without the support of the rail providers. She stated that whilst she would be voting against the motion, this was not because she did not support the Ivanhoe line. With regards to parking provision and town centre footfall, she commented that free parking was available on Sundays, however the majority of businesses were closed; the marking hall also closed before the free parking provision after 3.00pm. She felt that businesses should take into consideration what was on offer.

Councillor S Sheahan commented that the amendment was focussed on Coalville. He added that the Ivanhoe line was a matter for Leicestershire County Council. He stated that he would not support the proposal to remove the current scheme of providing free parking after 3.00pm.

Councillor N J Rushton exercised his right of reply and urged members to vote against the amendment.

The Chairman then put the motion to the vote. A recorded vote being required, the voting was as follows:

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<b>Amendment to the Budget submitted by Councillor M B Wyatt (Amendment)</b>	
Councillor Ron Adams	Against
Councillor Graham Allman	Against
Councillor Robert Ashman	Against
Councillor Roger Bayliss	Against
Councillor Richard Blunt	Against
Councillor Russell Boam	Against
Councillor John Bridges	Against
Councillor John Clarke	Against
Councillor Nick Clarke	Against
Councillor John Cotterill	Against
Councillor John Coxon	Against
Councillor David Everitt	Against
Councillor Dr Terri Eynon	Against
Councillor John Geary	Against
Councillor Louise Goacher	Against
Councillor Stuart Gillard	Against
Councillor Tony Gillard	Against
Councillor Dan Harrison	Against
Councillor Gill Hault	Against
Councillor Jim Hault	Against
Councillor Russell Johnson	Against
Councillor Geraint Jones	Against
Councillor John Legrys	Against
Councillor Susan McKendrick	Against
Councillor Trevor Pendleton	Against
Councillor Virge Richichi	Against
Councillor Nicholas Rushton	Against
Councillor Tony Saffell	Against
Councillor Sean Sheahan	Against
Councillor Nigel Smith	Against
Councillor Alison Smith MBE	Against
Councillor Michael Specht	Against
Councillor David Stevenson	Against
Councillor Michael Wyatt	For
<b>Rejected</b>	

The motion was declared LOST.

The Chairman referred members to the substantive motion as set out in the agenda.

Councillor T Eynon expressed her continuing concerns regarding the funding of the leisure project.

Councillor M Specht referred to the accomplishments made in respect of building new council houses and improving the housing stock.

Councillor R D Bayliss invited members to support the budget which would enable the Council to spend £4.2 million in the coming year to keep homes decent and £4.9 million on building new homes. He referred to the 400 air source heat pumps which had been installed in houses with no access to mains gas. He highlighted the increase in the aids and adaptations budget He referred members in particular to recommendation 15 and reminded members that provision had been made to redeem the £13 million loan commitments which became due for repayment in 2022; thereafter a decision would be taken annually on how to utilise any predicted surplus.

Chairman's initials

Councillor J Legrys stated that he could not vote for the budget in principle and he did not have the opportunity to debate each recommendation in detail. He added that there were no reassurances regarding the cost of the leisure centre. He thanked the officers who had advised the Labour Group on the budget process and for the insight they had provided into the budget process. He did not feel that enough homes were being built in Coalville to cater for residents. He reiterated that there were parts of the budget that he did not agree with and he disliked the principle of voting for the recommendations en bloc.

Councillor S Sheahan stated that the budget was uncertain in the medium term and uninspiring in the short term.

Councillor R Blunt stated that he was proud that the Council had frozen Council Tax for the last 10 years, that businesses growth had been delivered and that new homes were being built.

Councillor N J Rushton exercised his right of reply, highlighting that new council houses were being built, council tax had been frozen for 10 years, there was massive growth in the district and £25 million was being spent on leisure. He recommended the budget to members.

Councillor A C Saffell reported that in the past year there had been a reduction in agency staffing numbers. He thanked the Leader and everyone involved.

The Chairman then put the substantive motion to the vote. A recorded vote being required, the voting was as follows:

<b>Substantive motion (Motion)</b>	
Councillor Ron Adams	Against
Councillor Graham Allman	For
Councillor Robert Ashman	For
Councillor Roger Bayliss	For
Councillor Richard Blunt	For
Councillor Russell Boam	For
Councillor John Bridges	For
Councillor John Clarke	For
Councillor Nick Clarke	Against
Councillor John Cotterill	For
Councillor John Coxon	For
Councillor David Everitt	Against
Councillor Dr Terri Eynon	Against
Councillor John Geary	Against
Councillor Louise Goacher	For
Councillor Stuart Gillard	For
Councillor Tony Gillard	For
Councillor Dan Harrison	For
Councillor Gill Houtt	For
Councillor Jim Houtt	For
Councillor Russell Johnson	Against
Councillor Geraint Jones	For
Councillor John Legrys	Against
Councillor Susan McKendrick	Abstain
Councillor Trevor Pendleton	For
Councillor Virge Richichi	For
Councillor Nicholas Rushton	For
Councillor Tony Saffell	For
Councillor Sean Sheahan	Against

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Councillor Nigel Smith	For
Councillor Alison Smith MBE	For
Councillor Michael Specht	For
Councillor David Stevenson	For
Councillor Michael Wyatt	For
<b>Carried</b>	

The motion was declared CARRIED.

It was therefore

RESOLVED THAT:

1. The Medium Term Financial Strategy approved by Cabinet on 5 February 2019 be noted.
2. The S151 Officer's comments on the robustness of the estimates and adequacy of reserves be noted.
3. The General Fund Revenue Budget for 2019/20 be approved.
4. The Special Expenses Revenue Budget for 2019/20 be approved.
5. The district Council Tax be frozen in 2019/20.
6. The transfer of any surplus income over expenditure in 2019/20 to the self sufficiency reserve be approved (currently budgeted as £161,090).
7. The decrease in council house rents for 2019/20 by 1% be approved.
8. The increase of 3.3% in garage rents for 2019/20 be approved.
9. Central heating charges for 2019/20 remaining at the same level as for 2018/19 be approved.
10. The average increase of 8.07% in service charge for 2019/20 be approved.
11. The ground rent increase at Appleby Magna Caravan Site of 3.3% on the anniversary of each individual rent agreement in 2019/20 be approved.
12. Increasing the Lifeline charges for East Midlands Housing and private customers by 3.3% be approved.
13. Increasing shop lease rents by an average of 14% to gradually move them to market levels be approved. This approach was agreed by Cabinet in November 2014.
14. The transfer of any surplus Housing Revenue Account income over expenditure in 2019/20 into the loan redemption reserve be approved in order to repay the 2022 loan commitments.
15. The proposal that surplus Housing Revenue Account income is not automatically transferred to the loan redemption reserve once the 2022 loan commitments can be repaid be noted as detailed in the report on the Treasury Management Strategy Statement on the agenda for this meeting.
16. The proposed General Fund, Special Expenses and Housing Revenue Account Capital Programmes for 2019/20 and planned financing be approved.

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17. The vehicle replacement programme for 2020/21 be approved.
18. The Capital Programmes 2020/21 – 2023/24 be approved for indicative purposes only.
19. The 2019/20 Capital Strategy be approved (in line with the prudential code).
20. The following amounts be approved for the year 2019/20 in accordance with Section 31b of the Local Government Finance Act 1992 (as amended):
  - (1) 33,678 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its Council Tax Base for the year.
  - (2) the amounts specified in Appendix 6 table a of this report being the amounts calculated by the Council, in accordance with Section 34 of the Local Government Finance Act 1992, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.
21. The following amounts be now calculated by the Council for the year 2019/20 in accordance with Sections 31a and 31b of the Local Government Finance Act 1992 as amended:
  - (1) district / parish gross expenditure  
£61,443,679 being the aggregate of the amounts which the Council estimates for the items set out in Section 31a (2) of the Act.
  - (2) income  
£53,519,082 being the aggregate of the amounts which the Council estimates for the items set out in Section 31a (3) of the Act.
  - (3) district / parish net expenditure  
£7,924,597 being the amount by which the aggregate at 20(1) above exceeds the aggregate at 20(2) above, calculated by the Council in accordance with Section 31a (4) of the Act as its Council Tax requirement for the year.
  - (4) basic amount of tax (including average parish precepts)  
£235.30 being the amount at 21(3) above, divided by the amount stated as the Council Tax Base in parts of the Council's area, calculated by the Council in accordance with Section 31 b of the Act as the basic amount of its Council Tax for the year.
  - (5) parish precepts/special expenses  
£2,583,940 being the aggregate amount of all special items referred to in Section 35(1) of the Act.
  - (6) basic amount of tax (basic Council Tax – district)  
£158.58 being the amount at 21(4) above less the result given by dividing the amount at 21(5) above by the amount as stated as the Council Tax Base for the whole of the Council area, calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for dwellings in those parts of its area to which no special item relates.

(7) basic amount of tax (parished areas)

The amounts listed in column 5 of table b appendix 6 to this report, being the amounts given by adding to the amount at 21(6) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned, divided in each case by the amount stated as the Council Tax Base in parts of the Council area, calculated by the Council in accordance with Section 34(3) of the Act as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(8) district /parish Council Tax rates

The amounts set out in table c appendix 6 to this report being the amounts given by multiplying the amounts at 21(6) and 21(7) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council in accordance with Section 36(1) of the Act as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.

22. Major precepting authorities

It be noted that the amounts set out in table D appendix 6 to this report are the amounts notified by Leicestershire County Council, Leicestershire Police and Crime Commissioner and the Combined Fire Authority in accordance with Section 40 of the Local Government Finance Act 1992 as their precepts for 2019/20 for each of the categories of dwellings listed.

23. Council Tax rates – all bands

Having calculated the aggregate in each case of the amounts at 21(8) (table C appendix 6) and 22 (table D appendix 6) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the amounts of Council Tax for the Council's area for the year 2019/20 for each of the categories of dwellings as shown in table E appendix 6.

24. Referendums relating to Council Tax increases

It be noted that the relevant basic amount of Council Tax for 2019/20 is not excessive.

**56. HS2 UPDATE**

Having declared a pecuniary interest, Councillors R Blunt, J G Coxon, T J Pendleton and S Sheahan left the room during consideration of this item and took no part in the discussion or voting thereon.

Councillor D J Stevenson left the meeting at 8.41pm.

Councillor T Gillard presented the report to members, referring to the speculation in the media regarding the project and reminding members that work had commenced on the route at Birmingham. He added that it was important to take action now to mitigate the impacts and maximise the benefits as there would be over 17 miles of the route in the district. He advised that construction work was due to commence soon after obtaining royal assent in 2023, and the work in the district was likely to last around 5 years. He added that the impacts on residents and businesses would be particularly severe in Measham, which was one of the more deprived areas in the district. He also highlighted the disruption that would be caused around Packington and Kegworth, and added that he believed HS2 needed to do more to minimise the impacts.

Councillor T Gillard stated that there were opportunities for benefits arising from the proposals including maximising transport links and regional and national economic

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benefits. He stated that the Council had always supported its communities and it was clear to see there would be significant impacts especially during the construction period. He emphasised the need to work together and stand firm with communities and businesses. He thanked the Policy Development Group for their comments.

Councillor N Clarke stated that the Labour Group had attempted to submit an amendment to recommendation 2, which had been rejected by the Monitoring Officer. He sought to move the amendment once more and sought an explanation as to why it had not been allowed by the Monitoring Officer.

The Monitoring Officer explained that the amendment sought to negate the effect of the original motion and was therefore not a valid amendment.

Councillor M Specht stated that Policy Development Group had discussed this issue on more than one occasion and the major drawback was the lack of benefit for the district.

Councillor J Bridges stated that he would be supporting the motion due to the need to be prepared, however he requested that it be recorded in the minutes that he did not support the project as a whole and believed that this section of the route would not proceed due to viability issues. He added that the uncertainty had caused stifled growth in the area.

Councillor D Everitt expressed concerns regarding the affordability of the scheme and the lack of benefit for cross county traffic and the northern regions.

Councillor J Legrys stated that he could not support this scheme and believed the line would not be built. He stated that the blight of HS2 was affecting everyone and HS2 would not regenerate Coalville. He expressed concerns regarding the adverse effect on the midland mainline and hoped that the project would be abandoned.

Councillor J Hoult emphasised the importance of linking the infrastructure to the north and added that if every station had a stop, the line would no longer be high speed.

Councillor R D Bayliss commented that it was important to be prepared.

Councillor N J Rushton stated that he believed the project would go ahead as there was cross-party support for it. He added that a new modern railway was needed and he urged members to support the recommendations.

Councillor T Gillard exercised his right to reply and explained that there was a hub at Toton which connected to East Midland Airport. He reminded members of the need to plan and be prepared for HS2 coming to North West Leicestershire.

It was moved by Councillor T Gillard, seconded by Councillor N J Rushton and

RESOLVED THAT:

1. The work undertaken in relation to HS2 to date be noted, including:
  - I. The internal officer working group and partnership working with LCC,
  - II. Working within the East Midlands HS2 strategic partnership to maximize the transport benefits of the station at Toton and, through their mitigation board, to coordinate the response to the impacts of HS2 at regional level,
  - III. The response to the consultation by HS2 from NWLDC which took into account those of partners including LCC, town and parish councils and action groups,
  - IV. The Council encouraging and facilitating all partners, residents and businesses to submit comments to HS2 Ltd.,

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- V. Inclusion of funding in the Council's budget proposals for the next three years to enable specialist consultants to be employed to assist the council in obtaining the maximum mitigation and other benefits.
- 2. The continuation of the partnership work by the Council be approved, which sought to maximise the benefits of HS2 to the district and to minimise the impacts on the district.

#### **57. GENDER PAY GAP REPORT 2018**

Councillor R Blunt presented the report to members. He highlighted that the gender pay gap had reduced in the previous year and it was intended to recalculate the gender pay gap in the summer following the transfer of the leisure centre staff. He recognised that the ideal position was to have no gender pay gap and stated the Council was not complacent about this issue.

It was moved by Councillor R Blunt, seconded by Councillor A V Smith and

RESOLVED THAT:

The report be noted.

#### **58. INVESTMENT STRATEGY - SERVICE AND COMMERCIAL 2019/20**

Councillor N J Rushton presented the report to members, highlighting the new requirements for supporting local public services and earning investment income.

Councillor J Legrys expressed support for the proposals. He felt that it was essential that any funds raised or invested should remain within the district and that members should have the opportunity to scrutinise the principle of those investments.

It was moved by Councillor N J Rushton, seconded by Councillor J Hoult and

RESOLVED THAT:

The Investment Strategy – Service and Commercial 2019/20 be approved.

#### **59. PAY POLICY STATEMENT 2019/20**

#### **60. REVIEW OF LICENSING ACT STATEMENT OF LICENSING POLICY AND CUMULATIVE IMPACT ASSESSMENT**

Councillor A V Smith presented the report to members, outlining the consultation process undertaken.

It was moved by Councillor A V Smith, seconded by Councillor R Ashman and

RESOLVED THAT:

- 1. The Licensing Act 2003 Statement of Licensing Policy be approved.
- 2. The cumulative impact assessment relating to Ashby de la Zouch town centre be approved.

#### **61. REVIEW OF THE COUNCIL'S CONSTITUTION**

Councillor N J Rushton presented the report to members, highlighting the proposed changes to the Constitution.

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Councillor M Specht commended the report and in particular the proposed changes to scrutiny.

Councillor S Sheahan welcomed the proposal for an additional scrutiny committee and commented that good governance needed adequate scrutiny. He requested that one of the scrutiny chairmen be a member of the opposition group.

Councillor A C Saffell requested a review of the entire Constitution to remove duplications.

It was moved by Councillor N J Rushton, seconded by Councillor J Legrys and

RESOLVED THAT:

1. The amendments to the Council's Constitution set out on the report be adopted.
2. The Head of Legal and Commercial Services be authorised to make the agreed amendments and any consequential amendments to the Constitution and re-issue the document.

Councillor M B Wyatt left the meeting at 9.16pm.

## **62. THE TREASURY MANAGEMENT STRATEGY STATEMENT 2019/20 AND PRUDENTIAL INDICATORS 2019/20 TO 2021/22**

Councillor N J Rushton presented the report to members, seeking Council's approval for the statement and the proposed change in approach to the redemption of loans. He highlighted the identified borrowing need in 2022 as a direct result of the funding allocated to the Coalville Leisure Centre.

In response to a question from Councillor S Sheahan, Councillor N J Rushton advised that the decision to repay the maturity loans would ultimately be a matter for the new Council to decide, however the funding had been set aside to repay those loans.

Councillor R D Bayliss added that the present policy was to repay the maturity loans when they became due for repayment, however a decision could be taken annually on how to utilise any surplus.

It was moved by Councillor N J Rushton, seconded by Councillor G Hoults and

RESOLVED THAT:

- a) The Treasury Management Strategy Statement 2019/20, Treasury Management Prudential Indicators – Revised 2018/19 and 2019/20 to 2021/22 and the Annual Minimum Revenue Provision Statement be approved.
- b) The proposed change in approach to redemption of HRA loans (set out at paragraph 1.8 of the report) be approved.

The meeting commenced at 6.30 pm

The Chairman closed the meeting at 9.22 pm

Chairman's signature